



of Linda Burrell v. Mylan Inc., et al. currently pending in the Circuit Court of Monongalia County, West Virginia, Civil Action No. 08-C-260.

4. Mylan Inc. is a holding company incorporated under the laws of the Commonwealth of Pennsylvania with its principle place of business at 1500 Corporate Drive, Canonsburg, PA 15317.

5. Mylan Technologies Inc. ("MTI") is a wholly-owned subsidiary of Mylan Inc. and is a corporation organized and existing under the laws of the State of West Virginia with its principle place of business in St. Albans, Vermont.

6. On January 28, 2005, MTI received FDA approval for the manufacture of the Mylan Fentanyl Transdermal System.

7. Pursuant to an Abbreviated New Drug Application submitted by MTI, the FDA issued approval for MTI's manufacture of the Fentanyl Transdermal System concluding that the product was safe and effective when used in accordance with its approved labeling.

8. At all times following the approval of MTI's Abbreviated New Drug Application, MTI has manufactured the Fentanyl Transdermal System at its production facilities in St. Albans, Vermont.

9. Distribution of the Mylan Fentanyl Transdermal System is handled through Mylan Pharmaceuticals Inc. ("MPI") another wholly-owned subsidiary of Mylan Inc. MPI is a West Virginia corporation with its principle place of business in Morgantown, West Virginia.

10. Once the Mylan Fentanyl Transdermal System has been manufactured and released for distribution, the product is shipped from Vermont to MPI's distribution center in Greensboro, North Carolina. From there, the Mylan Fentanyl Transdermal System is distributed through a network of independent distributors and wholesalers.

11. In the course of my employment as Associate Litigation Counsel, I have become aware of the filing of this action on behalf of Keisha Garner. In fact, prior to the filing of this Complaint, I received the autopsy report of the Spartanburg Regional Medical Center (Exhibit No. 1 attached) and the Death Certificate issued by the State of South Carolina (Exhibit No. 2 attached).

12. Based upon these documents, the following facts are clear:

- (a) Linda Thackston Burrell died on April 16, 2006, in Duncan, South Carolina (Exhibit No. 2);
- (b) At the time of her death, Ms. Burrell lived at 118 Heath Hill Road, Duncan, South Carolina (Exhibit No. 2).

13. The Complaint identifies the daughter of Ms. Burrell, Keisha Garner, as a resident of the State of South Carolina [*see* Exhibit No. 1 of the Plaintiff's Complaint].

14. Further, the information received at and prior to the commencement of this action suggests that there are a number of other South Carolina-based witnesses including:

- (a) J. David Wren, M.D., Ph.D.  
Pathologist  
Spartanburg Regional Medical Center  
Spartanburg, South Carolina
- (b) Steven Lully  
Coroner's Investigator  
366 N. Church Street  
Spartanburg, South Carolina 29303

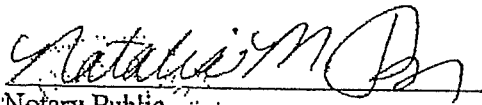
(c) Ira Thaxton  
199 Thaxton Road  
Duncan, South Carolina



Brian Cuthbertson, Associate Litigation Counsel

Sworn to and subscribed before me this

30<sup>th</sup> day of April, 2008.



Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Natalia M. Ross, Notary Public  
Cecil Twp., Washington County  
My Commission Expires April 23, 2011

Member, Pennsylvania Association of Notaries